

**ANEKS 3 UGOVORA O PODIZVOĐENJU GRAĐEVINSKIH RADOVA / ANNEX 3 OF
THE AGREEMENT ON SUBCONTRACTING CONSTRUCTION WORKS**

Zaključen u Beogradu, 01.03.2024 godine između:
Concluded in Belgrade, 01.03.2024 between:

ИНГРАП-ОМНИ ДОО
Бр. 357/1
01.03.2024 год.

**IZVOĐAČ: CHINA CIVIL ENGINEERING CONSTRUCTION CORPORATION BALKAN
OGRANAK BEOGRAD**, Batajnički drum 3 deo 6A., matični broj: 29507031, pib 109874997, kog
zastupa direktor Zhongzheng Chen
**CONTRACTOR: CHINA CIVIL ENGINEERING CONSTRUCTION CORPORATION BALKAN
BRANCH BELGRADE**, Batajnički drum 3 deo no. 6a, reg. no.: 29507031, TIN 109874997,
represented by director Zhongzheng Chen

**PODIZVOĐAČ: DRUŠTVO ZA INŽENJERING, GRAĐEVINARSTVO I PROMET ROBE NA
VELIKO I MALO INGRAP-OMNI DOO BEOGRAD**, Držićeve 15., matični broj 06950639, pib
101496917, kog zastupa direktor Nataša Đurović
**SUBCONTRACTOR: COMPANY FOR ENGINEERING, CONSTRUCTION AND
WHOLESALE AND RETAIL TRADE OF GOODS INGRAP-OMNI DOO BELGRADE**, 15
Držićeve Str., reg. no. 06950639, TIN 101496917, represented by director Nataša Djurović

PREAMBULA

Ugovorne strane saglasno konstatuju :

1. Da su 08.04.2022 godine zaključile Ugovor :
 - Naziv Ugovora o podizvođenju građevinskih i radova na izgradnji koloseka (Partija NS-I): Građevinski i radovi na izgradnji koloseka (Partija NS-I) na Projektu modernizacije i rekonstrukcije mađarsko-srpske prekogranične železničke veze na teritoriji Republike Srbije za deonicu Novi Sad-Subotica-Granica (Kelebjia).
 - Naziv radova u okviru Ugovora: Radovi u rasponu ukupne dužine: km 77+411,09 do km 112+861, građevinski i radovi na izgradnji koloseka (Partija NS-I) na Projektu modernizacije i rekonstrukcije mađarsko-srpske prekogranične železničke veze na teritoriji Republike Srbije za deonicu Novi Sad-Subotica-Granica (Kelebjia).
2. Da je obim radova : Svi građevinski radovi navedeni u Obimu radova sa opisom (eng. WSD), tabeli sa cenama i građevinskim crtežima kao što su podloga, propusti, noseća konstrukcija, ukrštanje koloseka, revizioni otvori, pomoćna konstrukcija za kablove, drenažni sistem pruge, zamena rovova, izmeštanje postojećih instalacija, izrada električnih vodova, izrada signalizacije, izrada komunikacionih instalacija, izmeštanje komunikacija, zvučne barijere i zvučna izolacija, zakopane cevi, otvori i šahtovi, izmeštanje postojećih cevovoda i izgradnja lokalnih puteva, servisnih puteva, kao i demontaža i rekonstrukcija temelja nadzemnog kontaktnog sistema, drugi relevantni radovi u rasponu ukupne dužine (km 77+411,09 do km 112+861).
3. Da je rok izvođenja radova 12 kalendarskih meseci od dana uvođenja u posao .
4. Da je ugovorena cena radova **76.257.795 američkih dolara** (bez poreza) (slovima: SEDAMDESET I ŠEST MILIONA DVE STOTINE PEDESET I SEDAM HILJADA SEDAM STOTINA PET DOLARA)
5. Da je tip Ugovora: Ugovor sa fiksnim paušalnom iznosom
6. Da su 30.12.2022 godine zaključile Aneks 1, kojim je ugovorena cena dodatnih (neugovorenih) radova koji se odnose na radove na arheološkim nalazištima
7. Da su 23.05.2023 godine zaključile Aneks 2 kojim se izuzimaju ugovoreni radovi u iznosu od 23.024,00 dolara, pa nova ugovorena cena po Aneksu 2 iznosi **76.234.771,00 američkih dolara**
8. Da je članom 18.2.2. Ugovora od 08.04.2022 godine predviđeno , između ostalog , i da ako je povećanje ili smanjenje troškova uzrokovano nepredvidivim promenama spoljnih uslova, i ako naknade za potraživanja ispunjavaju uslove za usklađivanje cene iz Komercijalnog ugovora, Ugovorna cena se može uskladiti u skladu sa tim, nakon

pregovora između obe strane nakon dobijanja saglasnosti Investitora i Generalnog Izvođača.

9. Da je Podizvođač dana 02.02.2024 godine Izvođaču dostavio korigovanu ponudu koja se odnosi na razliku u ceni za jedanaest saobraćajnica sa prilogom -rekapitulacija u iznosu od 2.497.679,31 dolara , broj korigovane ponude 181 od 02.02.2024 godine koju je Izvođač prihvatio, pa se pristupa zaključenju Aneksa 3 kojim se ugovorena cena uvećava i iznosi **77.334.902,77 američkih dolara (bez poreza)**.

PREAMBLE

The contracting parties hereby agree as follows:

1. *That on 08.04.2022 they concluded the Agreement:*
 - *Name of the Agreement on Subcontracting Construction and Railway Track Construction Works (Part NS-I): Construction and railway track construction works (Part NS-I) on the Project of modernization and reconstruction of the Hungarian-Serbian cross – border railway connection on the territory of the Republic of Serbia, for the section Novi Sad – Subotica – border (Kelebija).*
 - *Name of works within the Agreement: Works in the range of total length: km 77+411.09 to km 112+861, construction and track construction works (Part NS-I) on the Project of modernization and reconstruction of the Hungarian – Serbian cross-border railway connection on the territory of the Republic of Serbia for the section Novi Sad – Subotica – Border (Kelebija).*
2. *That the scope of work is: All construction works listed in the Scope of Works with description (eng. WSD), price table and construction drawings such as subgrade, culverts, supporting structure, track crossing, inspection openings, auxiliary structure for cables, drainage system of the track, replacement of trenches, relocation of existing installations, construction of electrical lines, construction of signaling, construction of communication installations, relocation of communications, sound barriers and sound insulation, buried pipes, openings and shafts, relocation of existing pipelines and construction of local roads, service roads, as well as dismantling and reconstruction of the foundations of the overhead contact system, other relevant works in the range of the total length (km 77+411.09 to km 112+861).*
3. *That the term of performance of the works is 12 calendar months from the day of introduction into the work.*
4. *That the contracted price of the works is **76,257,795 US dollars (excluding tax)** (in letters: SEVENTY-SIX MILLION TWO HUNDRED FIFTY SEVEN THOUSAND SEVEN HUNDRED FIVE DOLLARS)*
5. *That the type of Contract is: Agreement with a fixed lump sum.*
6. *That on December 30, 2022, they concluded Annex 1, which agreed the price of additional (non-contractual) works related to works on archaeological sites.*
7. *That on May 23, 2023, they concluded Annex 2, which excludes contracted works in the amount of 23,024.00 dollars, so the new contracted price according to Annex 2 is **76,234,771.00 US dollars.***
8. *That Article 18.2.2. The Agreement dated 08.04.2022, provides, among other things, that if the increase or decrease in costs is caused by unpredictable changes in external conditions, and if the claims fees meet the conditions for price adjustment from the Commercial Agreement, the Contract price can be adjusted accordingly, after negotiations between both parties after obtaining the consent of the Investor and the General Contractor.*
9. *That the Subcontractor on 02/02/2024 submitted to the Contractor a corrected offer relating to the difference in price for eleven roads with an attachment – recapitulation in the amount of 2,497,679.31 dollars, corrected offer number 181 of 02/02/2024, which the Contractor accepted, so is approaching the conclusion of Annex 3, which increases the agreed price and amounts to **77.334.902,77 USD (without tax).***

Član 1.

Ugovorne strane saglasno konstatuju da nova ugovorena cena iznosi :

77.334.902,77 AMERIČKIH DOLARA (BEZ POREZA).

Tabelarni prikaz razlike u ceni za jedanaest saobraćajnica:

No	Roads	Contract price	New price	Annex 3	Annex 3+contract
1	ETP Novi Sad at km 77+521	21.314,03	31.347,44	10.033,41	31.347,44
2	EVP Novi Sad	69.894,37	72.666,15	2.771,78	72.666,15
3	Access road Sajlovo	89.414,61	136.410,92	46.996,30	136.410,92
4	Access road at km 89+984	21.560,53	32.361,82	10.801,29	32.361,82
5	Access road to station Kisač	41.023,49	61.890,39	20.866,90	61.890,39
6	Access road at km 92+768	492.411,33	436.457,23	216.027,68	708.439,01
7	Local road - underpass at km 97+027.31 of the railway, Access road to SS and TK facility	174.081,82	215.169,94	41.088,12	215.169,94
8	Access road at km 101+132	494.550,69	544.833,40	272.426,66	766.977,35
9	Access road to station Zmajevo	13.614,33	19.669,00	6.054,67	19.669,00
10	Access road at km 105+797	468.446,62	505.545,68	252.183,11	720.629,73
11	Access road at km 108+115	492.012,00	441.327,35	220.881,85	712.893,85
	TOTAL	2.378.323,81	2.497.679,31	1.100.131,77	3.478.455,58

Ugovorne strane saglasno konstatuju da razlika u ceni za jedanaest saobraćajnica između cene za saobraćajnice po Ugovoru od 08.04.2022 i cene za saobraćajnice po Aneksu 3 iznosi **1.100.131,77 američkih dolara.**

Article 1.

The contracting parties agree that the new agreed price amounts to:

77.334.902,77 USD (without tax).

Tabular presentation of the price difference for eleven roads:

No	Roads	Contract price	New price	Annex 3	Annex 3+contract
1	ETP Novi Sad at km 77+521	21.314,03	31.347,44	10.033,41	31.347,44
2	EVP Novi Sad	69.894,37	72.666,15	2.771,78	72.666,15
3	Access road Sajlovo	89.414,61	136.410,92	46.996,30	136.410,92
4	Access road at km 89+984	21.560,53	32.361,82	10.801,29	32.361,82
5	Access road to station Kisač	41.023,49	61.890,39	20.866,90	61.890,39
6	Access road at km 92+768	492.411,33	436.457,23	216.027,68	708.439,01
7	Local road – underpass at km 97+027.31 of the railway, Access road to SS and TK facility	174.081,82	215.169,94	41.088,12	215.169,94
8	Access road at km 101+132	494.550,69	544.833,40	272.426,66	766.977,35
9	Access road to station Zmajevo	13.614,33	19.669,00	6.054,67	19.669,00
10	Access road at km 105+797	468.446,62	505.545,68	252.183,11	720.629,73
11	Access road at km 108+115	492.012,00	441.327,35	220.881,85	712.893,85
	TOTAL	2.378.323,81	2.497.679,31	1.100.131,77	3.478.455,58

The contracting parties agree that the price difference for eleven roadways between the price for roadways according to the Agreement dated 08.04.2022 and the price for roadways, according to Annex 3 amounts to

1.100.131,77USD.

Član 2.

Ugovorne strane saglasno konstatuju da će se ugovorena cena za jedanaest saobraćajnica koja po Ugovoru od 08.04.2022 godine iznosi 2.378.323,81 američkih dolara fakturisati od strane Podizvođača i biti plaćena od strane Izvođača u skladu sa Ugovorom od 08.04.2022 godine.

Ugovorne strane saglasno konstatuju da će se razlika između ugovorene cene za jedanaest saobraćajnica po Ugovoru od 08.04.2022 godine i cene po Aneksu 3, koja razlika iznosi 1.100.131,77 američkih dolara fakturisati od strane Podizvođača i biti plaćena od strane Izvođača prema Aneksu 3.

Article 2.

The contracting parties agree that the agreed price for eleven roads, which according to the Agreement dated April 8, 2022, amounts to 2,378,323.81 USD, will be invoiced by the Subcontractor and paid by the Contractor in accordance with the Agreement dated April 8, 2022.

The contracting parties agree that the difference between the agreed price for eleven roads according to the Contract dated 08.04.2022 and the price according to Annex 3, which difference amounts to USD 1.100.131,77 will be invoiced by the Subcontractor and will be paid by the Contractor according to Annex 3.

Član 3.

Aneks 3 je sačinjen u 4 (četiri) istovetna primerka, za svaku ugovornu stranu po 2 (dva) primerka.

Article 3.

Annex 3 is made in 4 (four) identical copies, 2 (two) copies for each contracting party.

Izvođač / Contractor:
CHINA CIVIL ENGINEERING
CONSTRUCTION CORPORATION
BALKAN Ogranak Beograd



Podizvođač / Subcontractor:
Društvo za inženjering, građevinarstvo i
promet robe na veliko i malo
INGRAP - CIVIL d.o.o.

